

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

DAVID SIDOO, *et al.*,

Defendants.

Case No. 19-cr-10080

**DEFENDANTS MOSSIMO GIANNULLI, LORI LOUGHLIN, WILLIAM
MCGLASHAN, JR., AND JOHN WILSON’S ASSENTED-TO
MOTION TO EXTEND BRIEFING SCHEDULE FOR THEIR MOTIONS TO COMPEL**

Pursuant to Federal Rule of Criminal Procedure 45(b)(1)(A), Defendants Mossimo Giannulli, Lori Loughlin, William McGlashan, Jr., and John Wilson respectfully move to extend—by three days—the due date for their reply briefs in support of their motions to compel the production of material and exculpatory evidence (ECF Nos. 693, 696, and 699). Defendants seek this extension to allow them sufficient time to review the Government’s forthcoming supplemental disclosures and assess whether those disclosures have any bearing on Defendants’ motions to compel or their forthcoming reply briefs.

Defendants’ motions to compel seek, among other things, an order requiring the Government to disclose all FBI Form 302 Reports of witness statements and underlying interview notes concerning William “Rick” Singer’s representations to his clients regarding payments to the University of Southern California, as well as all information about USC’s knowledge of Singer’s operation. In its January 14 consolidated response to Defendants’ motions to compel, the Government asserted that it “anticipate[d] making supplemental disclosures to the defendants in the next few days after this brief is filed concerning the most recent [FBI] interview reports.” ECF No. 736 at 2 n.2. The Government also said that it “has disclosed *or will soon disclose any*

potentially exculpatory statements reflecting Singer's memory of what he told the defendants about where their money should be sent and how it would be used." *Id.* at 4 (emphasis added in part). But the Government has not yet made any such supplemental disclosures. On January 26, 2020, in response to a request for clarification by defense counsel, the Government stated that it plans to make its supplemental disclosure late on Monday, January 27, 2020.

Defendants' reply briefs are currently due on Tuesday, January 28, 2020. ECF No. 705. Because the Government's forthcoming disclosures may bear on the issues raised in Defendants' reply briefs, Defendants respectfully request a three-day extension to allow them sufficient time to evaluate the Government's supplemental disclosures. Counsel for Defendants Giannulli and Loughlin has conferred with Assistant U.S. Attorney Eric Rosen, who consents to Defendants' requested extension.

The current briefing schedule also provides that any sur-replies by the Government are due February 4, 2020. *Id.* Given Defendants' request for a three-day extension for their replies, they have no objection to adjusting the Government's deadline for its sur-replies by three days as well. Thus, Defendants propose the following schedule:

- Defendants Giannulli, Loughlin, McGlashan, and Wilson's reply briefs in support of their motions to compel (ECF Nos. 693, 696, and 699) to be due **Friday, January 31, 2020**; and,
- Any Government sur-replies responding to the replies of Defendants Giannulli, Loughlin, McGlashan, and Wilson to be due **Friday, February 7, 2020**.

Dated: January 27, 2020

Respectfully submitted,

/s/ William J. Trach

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LOCAL RULE 7.1(a)(2) CERTIFICATION

Undersigned counsel certifies that, on January 27, 2020, he conferred with counsel for the Government about the relief requested in this Motion. The Government consents to Defendants' request.

/s/ William J. Trach
William J. Trach

CERTIFICATE OF SERVICE

I certify that the foregoing document was filed with the Clerk of the United States District Court for the District of Massachusetts via the CM/ECF system, which will notify all participants in the case who are registered CM/ECF users; these are identified on the Notice of Electronic Filing. Paper copies will be sent on January 27, 2020, to those identified as non-registered participants.

/s/ William J. Trach
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